THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI MOTI LAL VORA): (a) to (c) The article 'Family Planning The Great Hoax' published in the October 31, 1988 isse of 'India Today' has been examined. No confirmed reports of feeding of large scale false figures and swindling of large amounts of money under the Family Welfare Programme have been received so far. However, as part of regular evaluation mechanism, the performance of the States/UTs under different methods of contraception are verified th ough a sample check by the Central Evaluation teams, in addition to checking done by the States/UTs through their own mechanism. The feed back from the evaluation teams is regularly shared with the State Governments for remedial action.

Pending cases and vacancies of Judges in the High Courts

449. SHRI YASHWANT SINHA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of cases which are pending in Lower Courts and High Courts separately in the country according to the latest figures available with Government;

(b) the number of vacancies in the various High Courts at present;

(c) the prieod for which these posts have been vacant; and

(d) what steps are being taken to reduce the number of pending cases on the one hand and fill up judicial vacancies on the other?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI HANS RAJ BHARDWAJ): (a) As per information furnished by the Registries of the High Courts, the number of cases pending in Lower Courts and High Courts is as follows:

Lower Courts	*High Courts*
As on 1-1-1985	
As on 1-1-1988	
12005166	1587823

(b) and (c) The position as on 1-11-1988 has been indicated in Statement-I attached herewith (*See* below).

(d) The steps taken from time to time to reduce pendency in Courts have been indicated in Statement-II attached herewith (*See* below).

Under the Constitution, administration of Justice in Lower Courts comes under the purview of State Governments/High Courts. As regards filling up of vacancies in High Courts, selection of Judges involves deliberation in consultation with the concerned constitutional authorities and is a continuous process.

Statement—I

S. No.	Name of the High Court	Vacancies of Judges			Date from which these are lying vacant
		Pmt.	Addl.	Total	
1	2	3	4	5	6
1	Allahabad	9	5	14	15-10-84 (A) 15-10-84 (A) 15-10-84 (A) 15-10-84 (A) 7-2-85 (A) 19-11-87 (P) 6-1-88 (P) 30-1-88 (P) 11-4-88 (P) 12-5-88 (P) 1-7-88 (P) 15-7-88 (P) 24-8-88 (P) 6-9-88 (P)

1	2	3	4	5	6
2	Andhra Pradesh	6	2	8	26-11-82 (A) 29-11-82 (A) 17-10-87 (P) 21-10-87 (P) 02-02-88 (P) [illegible] (P) 01-07-88 (P) 26-10-88 (P)
3	Bombay	2	3	5	28-06-88 (P) 18-10-88 (P) 19-10-88 (A) 10-10-88 (A) 10-10-88 (A)
4	Calcutta	4	..	4	01-05-88 (P) 20-05-88 (P) 24-05-88 (P) 20-07-88 (P)
5	Delhi	2	2	4	24-04-87 (P) 23-10-87 (P) 19-02-88 (A) 17-03-88 (P)
6	Gauhati	1	..	1	15-03-88 (P)
7	Gujarat	3	3	6	07-06-84 (A) 26-06-84 (A) 02-04-85 (A) 02-12-86 (P) 23-07-88 (P) 21-10-88 (P)
8	Himachal Pradesh	1	1	2	23-09-86 (A) 24-01-88 (P)
9	Jammu & Kashmir	..	..	..	..
10	Karnataka	3	..	3	08-02-88 (P) 14-02-88 (P) 05-04-88 (P)
11	Kerala	1	..	1	31-08-87 (P)
12	Madhya Pradesh	3	2	5	25-5-87 (P) 22-12-87 (P) 2-7-88 (P) 4-7-88 (A) 14-10-88 (P)
13	Madras	2	..	2	12-11-87 (P) 14-3-88 (P)
14	Orissa	1	1	2	26-6-86 (A) 5-9-87 (P)
15	Patna	6	..	6	17-11-87 (P) 2-1-88 (P) 3-1-88 (P) 2-3-88 (P) 11-8-88 (P) 23-10-88 (P)

1	2	3	4	5	6
16	Punjab and Haryana . . .	1	..	1	4-8-88 (P)
17	Rajasthan	..	..	..	..
18	Sikkim	1	..	1	21-1-88 (P)
	TOTAL . .	46	19	65	

P.....Post of Permanent Judge

A.....Post of Additional Judge

Statement-II

Steps taken from time to time to reduce pendency in courts

1. Elimination of arrears in all courts had been discussed in the Conference of Chief Justices, Chief Ministers and Law Ministers of States held on 31st August—1st September, 1985 and the Resolutions of the Conference had been commended to the High Courts and the State Governments for implementation.

2. The Code of Civil Procedure was amended in 1976 to abolish Letters Patent Appeals from judgment of Single Judge of the High Court in Second Appeal (vide Section 100-A CPC).

3. The Code of Criminal Procedure, 1973 was amended in 1978 to expedite trial of criminal cases.

4. The recommendations contained in the 77th Report of the Law Commission on 'Delay and Arrears in Trial Courts' and in the 79th Report of the Law Commission on 'Delay and Arrears in High Courts and other Appellate Courts' suggesting various procedural reforms were sent to the High Courts/ State Governments for implementation.

5. A Committee of 3 Chief Justices of High Courts was constituted by the Government in the year 1984 to study the problem of arrears in High Courts and suggest reforms. The Committee suggested numerous procedural reforms. Some of the suggestions required amendment of legislation and High Court Rules and Orders, whereas, some others required issue of administrative instructions on the part of the High Courts. The suggestions of the Committee, as accepted by the Government, have been sent to the State Governments/Union Territory Administrations and High Courts for adoption and necesary action. Some of the reforms suggested by the Committee are as under:

(A) Pecuniary appellate jurisdiction of District Courts be raised to Rs. 5 lakhs.

(B) High Court Rules should provide for filling of Caveat.

(C) Revisional jurisdiction of High Courts should be exercised within the limitation of Section 115, CPC, and not under Article 227 of the Constitution.

(D) Legislation be enacted to abolish Letters Patent Appeals against the judgment of learned Single Judge in a Writ Petition directed against an appellate or revisional forum below.

(E) Ordinary original jurisdiction of High Courts be abolished.

(F) To speed up the disposal of cases in High Courts, the following categories of cases be disposed of in Chambers:

(i) Revision applications or Writ Petitions for admission arising of:

(a) Interlocutary Orders;

(b) Concurrent decisions of the two courts, authorities or tribunals immediately below;

(c) Proceedings under section 144 and 145, Cr.P.C.;

(d) Invoking the provisions of Section 482, Cr.P.C.;

(e) Orders disposing of matters summarily.

(ii) Applications for substitution where abetment is involved.

(iii) Application for fixation of time in paying court fees.

(iv) Applications for exemption from paying court fees.

(v) Application for extension of time for furnishing bank Guarantee, securities, etc

(vi) Application for transfer.

(G) All administrative work by the Judges of High Courts should be done outside court hours.

(H) Judgment should be short, lucid and confined to the points arising in the case.

(I) First Appeals, Second Appeals, Civil Revisions and Writ Petitions be heard by Single Judge at the time of final hearing. Only Criminal Appeals involving sentence of death or life imprisonment be heard by a Division Bench of 2 Judges.

(J) Cases for hearing be assigned to Judges with experience in particular branch of law

(K) Only operative part of the Judgment be pronounced in court.

(L) Lengthy judgments should not be dictated in court.

(M) Rules and Orders of the High Courts should provide the time schedule within which process fee, replies, etc., are to be filed.

(N) Commissioners duly empowered for recording evidence be attached to the High Courts.

(O) Computers, dicta-phones, electronic type-writers calculator, xerox-copying machines be introduced in High Courts for speeding up work in courts.

6. The High Courts are taking the following steps to expedite disposal of cases:

(a) Cases involving common questions are being grouped together;

(b) Matters are fixed for hearing by giving short returnable dates;

(c) Printing of records is dispensed with, in many cases; and

(d) Priority is given to cases requiring quick disposal.

7. The sanctioned strength of the High Court Judges has been increased from 351 in March 1977 to 444 as on 1-11-1988.

Unprecedented floods in the Northern States

450. SHRI YASHWANT SINHA: Will the Minister of WATER RESOURCES be pleased to state:

(a) whether it is a fact that the Northern States—Punjab, Haryana and Himachal Pradesh were affected by unprecedented floods recently;

(b) whether Government have studied the causes leading to these floods; and

(c) if so, what are the long-term steps Government propose to take to prevent the recurrence of floods in future in these States?

THE MINISTER OF STATE IN THE MINISTRY OF WATER RESOURCES (SHRIMATI KRISHNA SAHI): (a) and (b) Yes, Sir.

(c) To manage floods of such an unprecedented nature, the cost-effective measures include timely flood warnings and proper regulation of flood plains in addition to structural measures.